

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Julie Tossey and Edward Tossey,

Civil No. 05-2586 (RHK/RLE)

Plaintiffs,

ORDER

vs.

Performance Capital Management,
Sweetie Doe and John Doe,

Defendants.

IT IS HEREBY ORDERED that judgment shall be entered dismissing the Complaint on its merits with prejudice and without costs, disbursements or attorney's fees to any party.

IT IS FURTHER ORDERED that there being no just reason for delay **JUDGMENT SHALL BE ENTERED ACCORDINGLY.**

Dated: January 4, 2006

s/Richard H. Kyle
Richard H. Kyle
United States District Judge